

VIRGINIA MARINE RESOURCES COMMISSION
“PERTAINING TO THE TAKING OF STRIPED BASS”
EMERGENCY CHAPTER 4 VAC 20-252-10 ET SEQ.

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PREAMBLE

This emergency chapter establishes a limited commercial and recreational fishery for striped bass in Virginia. The provisions of this emergency chapter are intended to comply with all Federal and interstate requirements for fishing for striped bass. This emergency chapter also authorizes the aquaculture of striped bass and hybrid striped bass and sets forth the conditions required for their culture.

This emergency chapter is promulgated pursuant to the authority contained in §§ 28.2-201, 28.2-210 and 28.2-204.1 of the Code of Virginia. This emergency chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-252-10 et seq., which was promulgated March 26, 2019 and made effective April 1, 2019. The effective date of this emergency chapter, as amended, is April 29, 2019.

4 VAC 20-252-20. Definitions.

The following words and terms when used in this chapter shall have the following meaning unless the context clearly indicates otherwise:

"Chesapeake area" means the area that includes the Chesapeake Bay and its tributaries and the Potomac River tributaries.

"Chesapeake Bay and its tributaries" means all tidal waters of the Chesapeake Bay and its tributaries within Virginia, westward of the shoreward boundary of the Territorial Sea, excluding the Coastal area and the Potomac River tributaries as defined by this section.

"Coastal area" means the area that includes Virginia's portion of the Territorial Sea, plus all of the creeks, bays, inlets, and tributaries on the seaside of Accomack County, Northampton County (including areas east of the causeway from Fisherman Island to the mainland), and the City of Virginia Beach (including federal areas and state parks, fronting on the Atlantic Ocean and east and south of the point where the shoreward boundary of the Territorial Sea joins the mainland at Cape Henry).

"Commission" means the Marine Resources Commission.

"Commercial fishing" or "fishing commercially" or "commercial fishery" means fishing by any person where the catch is for sale, barter, trade, or any commercial purpose, or is intended for sale, barter, trade, or any commercial purpose.

“Great Wicomico-Tangier Striped Bass Management Area” means the area that includes the Great Wicomico River and those Virginia waters bounded by a line beginning at Dameron Marsh at NAD 83 North Latitude 37-46.9535, West Longitude 76-17.1294; thence extending to the southernmost point of Tangier Island, and thence north to a point on the Virginia–Maryland state boundary at NAD

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83 North Latitude 37-57.0407, West Longitude 75-58.5043, thence westerly along the Virginia-Maryland state boundary to Smith Point.

"Potomac River tributaries" means all the tributaries of the Potomac River that are within Virginia's jurisdiction beginning with, and including, Flag Pond thence upstream to the District of Columbia boundary.

"Recreational fishing" or "fishing recreationally" or "recreational fishery" means fishing by any person, whether licensed or exempted from licensing, where the catch is not for sale, barter, trade, or any commercial purpose, or is not intended for sale, barter, trade, or any commercial purpose.

“Recreational Vessel” means any vessel, kayak, charter vessel, or headboat participating in the recreational striped bass fishery.

"Share" means a percentage of the striped bass commercial harvest quota.

"Spawning reaches" means sections within the spawning rivers as follows:

1. James River from a line connecting Dancing Point and New Sunken Meadow Creek upstream to a line connecting City Point and Packs Point.
2. Pamunkey River from the Route 33 Bridge at West Point upstream to a line connecting Liberty Hall and the opposite shore.
3. Mattaponi River from the Route 33 Bridge at West Point upstream to the Route 360 bridge at Aylett.
4. Rappahannock River from the Route 360 Bridge at Tappahannock upstream to the Route 1 Falmouth Bridge.

“Snout” means the most forward projection from a fish’s head that includes the upper and lower jaw.

“Spear” or “spearing” means to fish while the person is fully submerged under the water’s surface with a mechanically aided device designed to accelerate a barbed spear.

"Striped bass" means any fish of the species *Morone saxatilis*, including any hybrid of the species *Morone saxatilis*.

“Total length” means the length of a fish measured from the most forward projection of the snout, with the mouth closed, to the tip of the longer lobe of the tail (caudal) fin, measured with the tail compressed along the midline, using a straight-line measure, not measured over the curve of the body.

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4 VAC 20-252-60. (Repealed.)

4 VAC 20-252-70. (Repealed.)

4 VAC 20-252-80. **Bay Spring/Summer Striped Bass Recreational Fishery.**

A. The open season for the Bay spring/summer striped bass recreational fishery shall be May 16 through June 15 inclusive.

B. The area open for this fishery shall be the Chesapeake Bay and its tributaries.

C. The minimum size limit for this fishery shall be 20 inches total length, and the maximum size limit for this fishery shall be 28 inches total length.

D. The possession limit for this fishery shall be two fish per person.

4 VAC 20-252-100. **Potomac River tributaries summer/fall striped bass recreational fishery.**

A. The open season for the Potomac River tributaries summer/fall striped bass fishery shall correspond to the open summer/fall season as established by the Potomac River Fisheries Commission for the mainstem Potomac River, except as provided in subsection D of this section.

B. The area open for this fishery shall be the Potomac River tributaries.

C. The minimum size limit for this fishery shall be 20 inches total length.

D. The maximum size limit for this fishery shall be 28 inches total length from May 16 through June 15.

E. The possession limit for this fishery shall be two fish per person.

This is to certify that the foregoing is a true and accurate copy of the emergency chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by § 28.2-201 and § 28.2-210 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Hampton, Virginia, on April 23, 2019.

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COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: Robert S. O'Reilly
for Steven G. Bowman
Commissioner

Subscribed and sworn to before me this 25 day of April 2019.

Jennifer G. Farmer
Notary Public

